



Order Filed on December 5, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

**FRENKEL LAMBERT WEISS WEISMAN &
GORDON, LLP**

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West Orange, NJ 07052

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Sean O'Brien, Esq.

Attorneys for Secured Creditor Bank of America, N.A.

In Re:

Debra C. Salaam,

Debtor,

Case No.: 17-20440-VFP

Chapter 13

Honorable Vincent F. Papalia

CONSENT ORDER RESOLVING MOTION FOR RELIEF FROM AUTOMATIC STAY

The relief set forth on the following pages numbered two (2) through five (5) is hereby ORDERED.

DATED: December 5, 2017

A handwritten signature in cursive script, reading "Vincent F. Papalia", is written over a horizontal line.

**Honorable Vincent F. Papalia
United States Bankruptcy Judge**

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AUTOMATIC STAY

Secured Creditor Bank of America, N.A. (the "Secured Creditor"), having filed a Motion for Relief from Stay (the "Motion") regarding the real property located at 44 Ivy Street, Newark, New Jersey 07106 (the "Property") currently owned by Debtor Debra C. Salaam, the Chapter 13 Debtor in the above proceeding (the "Debtor"), and it appearing that Secured Creditor and the Debtor have resolved the issues in the Motion upon the terms set forth herein, and upon the mutual consent of Secured Creditor and the Debtor, and no further notice need be given, and good and sufficient cause appearing for the entry of the within Consent Order, it is hereby ORDERED AS FOLLOWS:

1. Debtor is currently due for the September 1, 2017 loan payment and all subsequent payments for a total amount of \$4,141.05. In addition, Secured Creditor has incurred fees and costs of \$531.00 for the preparation and filing of the Motion. The total amount due and owing from Debtor to Secured Creditor is \$4,672.05.

2. Debtor shall cure the entire arrears amount of \$4,672.05 by making an additional payment of \$389.34 directly to Secured Creditor beginning on November 15, 2017 and continuing on the 15th day of each subsequent month for the next eleven (11) months; the address for payments is Bank of America, P.O. Box 660933, Dallas, TX 75266. A final cure payment of \$389.31 shall also be due by October 15, 2018. Debtor shall also begin making her regular monthly mortgage payments directly to Secured Creditor beginning with the payment due December 1, 2017 and continuing forward.

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3. The Debtor shall be in default of this agreement if the arrears payment is not received by Secured Creditor within thirty (30) days of the date payment is due or if Debtor fails to stay current with her regular contractual mortgage payments going forward for more than thirty (30) days past the date payment is due. It is the Debtor's responsibility to ensure that funds are available for all payments made as payments that fail to be made or that fail to clear due to insufficient funds will constitute default in accordance with the terms of the Consent Order. Upon the day of said default, Secured Creditor may seek any and all remedies afforded to it under the law including but not limited to submitting a Certification to the Court on notice to Debtor and Debtor's counsel that Debtor has defaulted on the terms of this Consent Order and requesting relief from the automatic stay.

4. The terms of this Consent Order shall be incorporated by reference into any plan or plans filed, amended, and confirmed in the Debtor's within case or any subsequent case filed under the Bankruptcy Code (the "Code"), and no such plan may be confirmed that is inconsistent with the terms of this Consent Order.

5. The parties to this Consent Order, and anyone who succeeds to their rights and responsibilities hereunder, their successors and assigns, are bound by this Consent Order. This Consent Order is for the benefit of the named parties and all who succeed to their rights and responsibilities.

6. This Consent Order reflects and constitutes the entire understanding and agreement between the consenting parties respecting this matter. No changes, alterations,

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modifications, or qualifications to the terms stated here shall be made binding unless made in writing and signed by the parties to this Consent Order.

7. No delay or failure by either party to exercise any right hereunder, and no partial or single exercise of any such right, shall constitute a waiver of that or any other rights, unless otherwise expressly provided herein.

8. This Consent Order shall be governed by and construed in accordance with the laws of the State of New Jersey, without giving effect to principles of conflicts of laws, and any and all disputes under and related to this Consent Order shall be exclusively within the jurisdiction of the United States Bankruptcy Court for the District of New Jersey or an appellate court thereof and, failing such jurisdiction, within the courts of the State of New Jersey.

9. If any of the provisions of this Consent Order shall be later held to be invalid or unenforceable according to law, the remaining provisions herein shall not be affected thereby and shall continue in full force and effect only to the extent the intent of the parties to this Consent Order can be fully carried out.

10. The parties to this Consent Order agree and acknowledge that this is a negotiated Consent Order and that the rule of construction that any ambiguities be construed against the drafting party shall not apply.

11. The parties understand and agree to the terms of this Consent Order. By signing this Consent Order, the parties acknowledge and agree that they have duly considered, approved, and authorized this Consent Order, and have taken all necessary actions for it to be valid and

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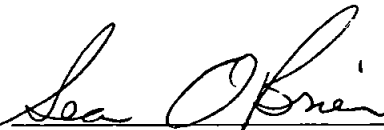
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binding. The parties further acknowledge that the individual, officer, agent, representative, or employee signing this Consent Order has the express authority to do so; has been afforded a reasonable and sufficient period of time to review the terms thereof; and has signed it both freely and voluntarily and without duress or coercion and with full knowledge that the only consideration for signing this Consent Order are the terms stated herein, and no other promise, agreement, or representation of any kind has been made to any person to cause such individual, officer, agent, representative, or employee signing this Consent Order to execute same.

Law Office of Stuart M. Nachbar
Attorneys for Chapter 13 Debtor
Stuart M.
Nachbar
Digitally signed by Stuart
M. Nachbar
Date: 2017.11.29 13:30:37
-05'00'

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Sean O'Brien, Esq.
80 Main Street, Suite 460
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Dated: November , 2017

Dated: November ²⁹, 2017